

REMARKS

Claims 1-24 are currently pending in this application. By this Response, claims 8, 12 and 13 are amended for clarification purposes only. Specifically, these claims are amended to correct their dependencies to be upon claims 1, 10 and 11, respectively. In addition, the specification is amended to update the cross-referenced patent application information. No new matter has been added by any of the above amendments. Reconsideration of the claims in view of the above amendments and following remarks is respectfully requested.

I. Claim Objections

The Restriction Required objects to claims 8, 12 and 13 as having improper dependencies. By this Response, these claims are amended to correct their dependencies in accordance with the Examiner's suggestion. Therefore, Applicants respectfully request withdrawal of the objection to the claims.

II. Election of Species

The Restriction Requirement indicates that the claims are directed to different species of invention as follows:

- Species 1: claims 2 and 17;
- Species 2: claims 3, 5, 10, 12, 18 and 20; and
- Species 3: claims 4, 6, 11, 13, 19 and 21.

The Restriction Requirement further states that species 1-3 have claims 1, 9 and 16 as generic claims and that claims 7-8, 14-15 and 22-24 will be examined regardless of the species election.

Applicants hereby elect **Species 2**, claims 3, 5, 10, 12, 18 and 20, with traverse with regard to Species 1 and without traverse with regard to Species 3. Applicants

respectfully submit that claims 2 and 17 are directed to the same species as Species 2 and should be examined along with claims 3, 5, 10, 12, 18 and 20 even though these claims may be patentably distinct from other claims in Species 2.

Claim 2, which is representative of claim 17 with regard to similarly recited subject matter, reads as follows:

2. The method of claim 1, wherein determining a period for sending management information requests includes time-decaying the period if the operating status of the system is determined to be normal.

Thus, claim 2 is directed to a method of managing a system in which a period for sending management information requests is time-decayed if the operating system is determined to be normal.

Similarly, claim 3 recites:

3. The method of claim 1, wherein determining a period for sending management information requests includes increasing the period by a decay amount if the operating status of the system is determined to be normal.

The features set forth in claim 3 are a specific mechanism for time-decaying a period for sending management information requests. That is, the period for sending such management information requests is increased by a decay amount if the system is functioning normally. Thus, while claims 2 and 17 may be patentably distinct from claims 3, 5, 10, 12, 18 and 20, both sets of claims are directed to the same species of invention having to do with time-decaying the period for sending management information requests when a system is operating normally. Therefore, claims 2 and 17 should be examined as part of the same species as elected claims 3, 5, 10, 12, 18 and 20.

Applicants further submit that while claims 4, 6, 11, 13, 19 and 21 are not elected, these claims are dependent from respective ones of independent claims 1, 9 and 16. Therefore, if independent claims 1, 9 and 16 are found allowable, these claims should be in condition for allowance as well. Accordingly, these claims are not canceled by this Response.

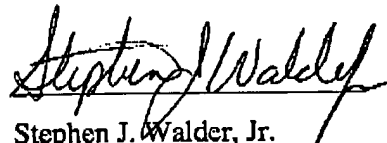
III. Conclusion

The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

Respectfully submitted,

DATE:

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